

**DAVIE WATER AND ENVIRONMENTAL  
ADVISORY BOARD  
JUNE 19, 2001  
5:30 P.M.**

**1. ROLL CALL**

The meeting was called to order at 5:35 p.m. Board members present were Chair Don Zane, Vice-Chair James Aucamp, Sr., Dean Alexander (arrived 5:40 p.m.), Mike Bender, Raul Bosque, Michael Crowley, Mark Flynt, Gary Gaffney (arrived 5:32 p.m.), Tom Green (arrived 5:35 p.m.), Jeffrey Harrod (arrived 5:50 p.m.), Robert Hoth, Daniel Lavrich, Gail Ling and Ronald Phillips (arrived 5:45 p.m.). Also present were Utilities Director Daniel Colabella and Board Secretary Jenevia Edwards recording the meeting. Dan Pignato was absent.

**2. APPROVAL OF MINUTES: March 20, 2001**

Mr. Bender made a motion, seconded by Mr. Crowley, to approve the minutes of March 20, 2001. In a voice vote, with Messrs. Alexander, Gaffney, Green, Harrod, Phillips, and Pignato being absent, all voted in favor. **(Motion carried 8-0)**

**3. PRESENTATION**

**3.1 Special Assessment for Potable Water from 23rd Street and Hiatus Road to Mark IX Estates**

Chair Zane asked that this item be tabled for discussion later in the meeting.

**3.2 Water Issues in Western Areas - Elliott Frimmer**

Mr. Frimmer indicated that he was a Hydraulics Engineer and a member of the Academy of Science. He explained that based on worldwide information, it was imperative that every effort be made to save fresh water. Mr. Frimmer commented that even if some residents were flooded during heavy rainfall, a way should be found to redirect the water for reuse. He added that in order to redirect this water, it was necessary to determine the location of the main canals that fed the water into the ocean. Mr. Frimmer gave details of the process involved to accomplish redirecting of the water for reuse and indicated that the City of Weston had made provisions for storage by building a 3,000,000 gallon fresh water storage tank. He suggested that Davie should make the same preparation and suggested that in making these preparation, an aquifer or a reservoir should be considered. Mr. Frimmer commented that the decision would have to be made immediately as to what steps would be taken towards storing water. Mr. Frimmer referred that a warning 15 years ago had gone unheeded and indicated that the state of Florida was now over-populated, and soon there would be a severe water shortage. He continued to discuss the possible problems of water shortage and explained several ways in which fresh water could be saved and processed for reuse. Mr. Frimmer indicated that except for the initial installation, there would be no cost involved as "catching" the water for storage would be achieved by gravity feeding. He commented that a grid system from all major cities in Florida should be considered which would enable water to be piped to Lake Okeechobee and other places when there was a water shortage. He commented that Key West operated a grid system and imported water from Miami. Mr. Frimmer commented that water was not a reclaimable commodity. He indicated that because there were many canals located in the Town, it was the perfect place to begin this operation.

Mr. Frimmer explained that the storage of water had now become a project involving Massachusetts Institute of Technology, the National Academy of Science, The World Organization, Europe and Africa. He expressed the opinion that if no effort was made to

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begin storing water, within five to ten years, residents would not be able to flush their toilets or take a shower because there would not be enough water available.

Mr. Frimmer stated that he had made the suggestion to Council previously and never received a response and added that Town residents should not be using water supplied by the City of Sunrise due to its poor quality. He referred to information that he had provided to Mayor Venis concerning the City of Sunrise and stated that he was very surprised that the Town had signed another contract for Sunrise to supply water to the Town.

Mr. Lavrich asked Mr. Frimmer if he had presented his proposal to South Florida Water Management District (SFWMD). Mr. Frimmer responded negatively and indicated that he was never asked. Mr. Lavrich explained that Mr. Frimmer was suggesting a major undertaking for the State and the SFWMD was responsible for regulating the drainage systems for the entire South Florida area. He commented that drainage was a large interactive system and small individual areas could not be drained. Mr. Lavrich indicated that the water shed that took place in South Florida was highly interactive from one community to another based upon the entire water shed of the State. He explained that one had to interact with the other and if one city took the action suggested by Mr. Frimmer, it would be worthless unless all communities took a similar action and interacted. Mr. Lavrich commented that although Mr. Frimmer's suggestion appeared interesting, it was his belief that it was not possible or practical for an individual community to undertake. He reiterated that the SFWMD should be presented with the proposal.

Mr. Hoth asked if digging deep trenches or large cisterns in the C-11 canal would solve the problem with Mr. Frimmer responding that the trenches or cisterns would have to be placed where the water was flowing. Mr. Hoth indicated that if everything remained where it existed for emergency purposes, going into the middle of the canal would create a back-up at the other end. He suggested drilling holes in the middle of the canal and have the water flow into the ground. Mr. Frimmer questioned the wholesomeness of the water once it remained stagnant.

Chair Zane agreed that any of the water management districts would be the place for Mr. Frimmer to present his proposal instead of the Board. He explained that the Town had no control over when the dams and sluice-ways were opened to be drained off. Chair Zane explained that Davie did not have the capability to remove water from canals to a lake if there was land to create a lake. He suggested that Mr. Frimmer make his presentation to Central Broward Water Control District which was a separate political agency from the Town.

Chair Zane asked if there was a way for water to be taken from the ground and placed in wells, with Mr. Colabella responding that it was possible but due to pollution, the Town was not mandated to do this. Mr. Green indicated that the Town was not authorized to perform deep-well or any other type of injection. He suggested that Mr. Frimmer should attend the upcoming meeting of the Broward County Surface Water Coordinating Council which met often and there were representatives from many of the water control/drainage districts as well as many municipalities.

Mr. Gaffney indicated that the SFWMD had exclusive control over canals and expressed the opinion that Mr. Frimmer should make his presentation whether or not he was extended an invitation. He agreed that Mr. Frimmer's proposal had merit and indicated that he believed the Board would be able to recommend that Council execute a resolution in support

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of a more formal presentation of the plan to a state government agency that had the authority.

Ms. Ling referred to the holding tanks erected by the City of Weston and inquired as to the cost and how the idea for implementation began. Mr. Frimmer responded by explaining about the appearance of the location and indicating that tanks held fresh water that was stored for emergency. Chair Zane added that the water was purchased from the City of Sunrise and was not taken from the canal and filtered. Mr. Green asked if it was a fact that the State had total control over any water that was placed underground or withdrawn with Mr. Frimmer responding that a presentation had been made to Governor Jeb Bush who favored the proposal. Mr. Frimmer commented that whether this would be passed by legislature was left to be seen.

Mr. Green commented that he would like to see as part of the land purchasing program proposed by Broward County, the utilization of some of the funds to acquire a site that could be excavated and used for water storage. Mr. Frimmer indicated that there were several local excavation sites that existed in the Broward County area.

Chair Zane asked who would control filling a lake that existed within the Town lines. Following a brief discussion, Mr. Green responded that to his knowledge, there was no State control on filling lakes. Mr. Crowley added that to fill any lakes, approval would be needed from the Department of Natural Resource, Central Broward Water Control District, within its jurisdiction, and SFWMD. If dredging was required, permission would be needed from the Department of Planning and Environmental Protection.

Mr. Bender commented on Mr. Green's reference to the bond issue and agreed with his suggestion; however, he indicated that the bond issue had become a political "hot potato." He indicated that there was no site that had been picked in Davie and it appeared that the Town, Southwest Ranches and Weston had been excluded from the picture bond issue. Mr. Bender added that from information he had gathered from the newspaper, most of the designated areas were located in the east. He expressed the opinion that Broward County residents would be paying for the bond issue for some time and it would be shocking if the Town with its remaining open space, would be excluded from the picture. Ms. Ling responded that County Parks and Recreation Advisory Board had completed its work on Swim Central and was proceeding with preservation for lands. She indicated that no decision had been made as all presentations have to be submitted to a "board" after which all areas are scrutinized. Ms. Ling explained that the County Parks and Recreation Advisory Board then determined what action to take. Additionally, there was also a forum involving residents participation. She added that the group responsible for gathering information for presentation to the County Parks and Recreation Advisory Board had not yet done so.

Mr. Crowley referred to the County's \$200,000 Integrated Water Resource Plan. He indicated that its purpose was to study the County for the possible transfer of water from one section of Broward to another when there was extensive rainfall instead of discharging it into the ocean. Mr. Frimmer commented that once a place to trap the water had been established, the grid system could be worked out. He commented that the means existed to make that happen. Chair Zane reiterated that the process had already begun, possibly with some of the funds from the bond issue; however, he was not privy to any information.

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Mr. Lavrich commented that most of Mr. Frimmer's proposal was already being practiced and almost all recent developments were digging new lakes to be used as retention areas to channel water. He added that water was generally channeled into lakes which were reservoirs that did not hold water, but recharged the water back into the aquifer, and this was a highly complex system. Mr. Lavrich further added that water conservation was another matter which required everyone's involvement but changing the canal system could not be done to accomplish this. He commented that the interaction of a grid system throughout the entire state appeared to be worthy; however, the cost would be astronomical. Mr. Lavrich added that attempting to have the entire State agree on anything was a virtual impossibility.

**3.1 Special Assessment for Potable Water from 23rd Street and Hiatus Road to  
Mark IX Estates**

Mike Setzer, 10670 SW 23 Street, stated that he was representing the residents in his neighborhood and inquired what was required to proceed with the special assessment.

Chair Zane indicated that Board's position was that it would need to vote to forward to Council the proposal for the special assessment. He asked Mr. Setzer how many residents he was representing with Mr. Setzer responding that he was representing 12 residents. Chair Zane added that at two previous meetings, there were residents present who were not receptive to the amount of the assessment. Mr. Colabella explained that he would forward a letter with a questionnaire to the residents inquiring whether or not they wanted the assessment. He added that when the responses were received he would proceed and an additional presentation to the Board was not necessary. Mr. Setzer questioned the reason for adding additional residences. Chair Zane responded that this would lower the cost of the assessment.

Chair Zane apologized to Chief Landscape Inspector Casey Lee whose name was inadvertently not placed on the agenda. He indicated that there had been some questions regarding noxious trees and plants in the Town at a previous meeting; and as an expert in this area, he felt she could answer some of the questions for the Board.

Chair Zane referred to environmental issues that had been added to the Board and indicated that he had presented the idea to Boardmembers to think of a proposal they might want to discuss concerning the environment. As a result of this directive, one of the issues that came to light was noxious trees and plants. Mr. Gaffney commented that his intended motion was to recommend identification of certain noxious species and instruct Town staff to have them destroyed. He added that this did not just mean prohibiting the planting of these trees, but to remove them from all Town right-of-ways as well as on Town property. Mr. Gaffney added that the Town should implement a program to assist private property owners in removal of similar species existing on their property. He commented that if the trees were removed from all properties, controlling them should be easier. Chair Zane asked if there had been prior discussions of that nature by the Town. Ms. Lee agreed with Mr. Gaffney; however, she indicated that there was nothing in the Town's Code that indicated these trees had to be removed when a single family residence was erected on a lot, but this was something that she encouraged. She added that the owners of commercial property were glad to remove them and it was also encouraged during the site plan process. Ms. Lee

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explained that it was very expensive to remove a row of Australian Pines that were 60 feet in height. Mr. Gaffney commented that the requirement for the removal of the trees did not necessarily have to include private property owners because that would mean regulating property that was already being used even if it could be argued that the trees were a nuisance. He added that the Code would include a section that all noxious trees be removed from right-of-ways and from public property. Ms. Lee indicated that Council was not in favor of that with Mr. Gaffney commenting that if Ms. Lee could be persuaded she could in turn persuade Council. Mr. Gaffney presented copies of his proposed motion (attached hereto and made a part hereof).

Mr. Alexander inquired if a definition had been given to “noxious” with Ms. Lee responding that it was listed in the Code. He indicated that oleander, an ornamental and very common plant which was a poisonous, appeared to be included as well. Mr. Gaffney commented that there was a specific “grocery” list in the Code. Ms. Lee gave a brief example of some of the poisonous trees and commented that there were other invasive trees on the County’s list. Mr. Hoth commented that the list appeared to mention mostly trees and there were other plants involved. Following a brief discussion, Mr. Gaffney indicated that his main concern was the Melaleuca and the Australian pines which appeared to pose the most threat. Ms. Lee agreed and indicated that she would assist in anyway possible; however, Davie was a rural town and residents wanted a rural lifestyle and this could become a political issue.

A lengthy discussion followed. Mr. Gaffney reiterated that the proposal was that trees on public property should be removed and replaced with a native tree. On private property, due to cost, the Town could be contacted for assistance to remove the trees. He indicated that if a group of trees were removed from one residence, it would also prevent the seedling from spreading, which would create a similar problem. Ms. Lee indicated that there was no budget in the Town to offer assistance for removal of trees. Mr. Gaffney indicated that the cost for removal of a few trees would be far less than the cost of liability during the next hurricane. Ms. Lee commented that she had been soliciting and lobbying every Councilmember and every director in an attempt to establish a Landscape Division for the Town. She reiterated that she was willing to assist the Board, however, she was one person attempting to assist 77,000 residents in the Town. Ms. Lee commented that there were other municipalities with Landscape Divisions, unfortunately at the moment the Town had not yet become modernized to that.

Chair Zane proposed that Mr. Gaffney’s proposed motion be placed on the agenda for the July 17th meeting. There was no objection from the Board.

Mr. Green asked if the Town had any guidelines to encourage residents where and what to plant. Ms. Lee responded that it was listed in the Town Code that “nuisance” trees should not be planted, and there were flyers available in the Planning and Zoning Division. Mr. Green further asked if there was any control by the Town over swale areas and referred to a location in the Town where a row of oak trees were planted under power lines. Ms. Lee responded that this was done by the Town and that the Town appeared to make more mistakes than residents. Chair Zane commented that at the May 22nd meeting, it was

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reported that it was in the Town Code that trees could be planted in the swales. Ms. Lee indicated that her landscape plans were constantly being revised on every commercial site throughout the Town if there was a live oak tree located under a power line.

Discussion continued regarding the planting of oak trees with Mr. Phillips commenting that because of where the tree was planted, it would become a nuisance over a period of time. He questioned why this was placed in the Town's Code. Ms. Lee explained that the root of an oak tree was less dangerous than most of the other species. Mr. Phillips commented that there were other species that were less invasive than the oak tree and he was worried about the damage to the roadway. Ms. Lee explained that the Town had recently requested that everyone planting trees install a root barrier system which would protect the asphalt. She indicated that this was being installed in almost every complex throughout the Town. Chair Zane asked how deep was the barrier system with Ms. Lee responding that it was 12 to 18 inches and although this was not deep enough, it encouraged the roots to grow downward instead of outward.

Ms. Ling commented that the consensus was that the trees planted in the swales prohibited drainage; however, it was her opinion that the flooding problems that existed in her development, Vista Filare, was due to the residents changing the configuration of the drainage route by placing cement and other barriers around the trees or removing the trees to the middle of the swale. Ms. Ling asked if there was any Town requirement indicating placement of the trees in the swale. Ms. Lee responded that the trees should be planted in or adjacent to the swale; however, she encouraged planting the trees outside of the swale area. She commented that she would not recommend an oak tree being placed in a swale area with water. Mr. Phillips agreed. Ms. Lee indicated that every community had a different swale system and the Engineering Department would have to be contacted in order to effect any change. Mr. Phillips commented that the developers for his development had contacted the Town and approval was not given to changes the species of the the trees in the swale.

Ms. Ling commented that the property manager of her development was expecting her to bring word back from the meeting as to what steps to take when residents made changes to the swale area. She inquired whether or not this was permitted and if this affected the drainage. Ms. Lee commented that if changes were made to the grade in the swale system, it would not work in the manner that it was intended. She suggested that complaints should be made to the Code Compliance Division or the Engineering Department. Ms. Lee added that in addition to filing complaints, the homeowner's association should add to their association rules that changes should not be made to the swale.

Discussion of the location of trees continued with Mr. Gaffney inquiring if the word "shall" should be changed to "may." He added that in many municipalities, "may" was listed in the Code. Ms. Lee commented that the Code indicated "two trees to be located in or adjacent" and they did not have to be planted in the swale. Mr. Gaffney referred to the Code section read by Mr. Colabella at a previous meeting, and indicated that Ms. Lee was reading from a different section of the Code.

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**4. OLD BUSINESS**

There was no old business discussed.

**5. NEW BUSINESS**

Mr. Flynt distributed handouts on conservation easements which he indicated was an alternative to purchasing land. He added that the Town would be able to accomplish its preservation goal without actual purchase. Mr. Flynt explained that there were tax advantages involved for the owner. He further added that if a conservation easement was given by an owner, this provided a charitable tax write-off. Mr. Flynt added that there was no reason to purchase land if purchasing the easement would provide the necessary control as to what happened on this land.

Chair Zane asked that a motion be made for the item to be reviewed and discussed at the July meeting. Mr. Bender so moved, seconded by Mr. Green. In a voice vote, with Mr. Pignato being absent, all voted in favor. **(Motion carried 13-0)**

Chair Zane referred to the land preservation inventory handout distributed by Mr. Colabella. He asked that before any discussion took place, if it was possible for Boardmembers to receive colored copies indicating areas that were already being developed under site or planning. Mr. Colabella indicated that he would contact Development Services Director Mark Kutney. Chair Zane added that some of the lands that appeared to be available were not and were already being developed. Chair Zane referred to a wetlands mitigation meeting with Planning and Zoning Manager Jeff Katims where he was informed that some of the areas were already under development although they appeared on the map to be available. He added that before the Board made any recommendations, he would like a map indicating what land was available.

Mr. Gaffney asked if there had been any information concerning cancellation of the fireworks. Mr. Colabella commented that that was at the discretion of the local Fire Chief. A brief discussion followed with Mr. Harrod indicating that the Forestry Department would be making a recommendation to the State to ban all fireworks in the State.

**6. COMMENTS AND/OR SUGGESTIONS**

There were no comments or suggestions.

**7. ADJOURNMENT**

Chair Zane made a motion to adjourn. There being no objections, with Mr. Pignato being absent, the meeting adjourned at 6:00 p.m.

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Approved

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Chair/Board Member